

To Chairman Genachowski and whomever this may concern at the FCC,

Introduce yourself: I am currently a Web 2.0 journalist online working for Examiner.com as their Yuma Culture & Events Examiner committed to the fight to preserving the open Internet. With a B.A. in Political Science from The University of Arizona, a dedicated interest in journalism and a keen interest in supporting consumer rights groups and media reform issues since 2007 I have joined the battle to Save The Internet at SaveTheInternet.com. I support independent labels and indy musicians as well as groups like The Future of Music Coalition which represents such independent musicians and also supports Net Neutrality.

Give the FCC details about your life as a musician

Tell the FCC about how you access the internet When I access the Internet I currently use Time Warner Cable's Road Runner high speed Internet service to connect to the Internet. I use Google's Gmail as my email provider, use Facebook, Twitter for social networking, visit YouTube occasionally, shop the Apple iTunes Store sometimes for music and music videos. Lately try to only buy music and music videos made by indy musicians. I also use the iTunes Store for purchasing TV Shows and movies and sometimes renting movies. I've used Apple's iPhone App Store to buy and download apps for my iPod Touch. I am now collecting iPad apps also from the App Store as I plan to get an iPad to run them on. Some of the apps I've gotten for free others I've had to pay for. I access www.examiner.com and publish articles to their website as Yuma's Culture & Events Examiner. Here's a link to my Examiner page: <http://www.examiner.com/x-37347-Yuma-Culture--Events-Examiner>

I browse the Web using Apple Safari on my MacBook Pro or Mac Mini at home -- also have a desktop PC running Safari that I sometimes use less frequently. On my iPod Touch of course I have Safari to browse the Web and until recently that was the only option so that's all I used but now have also added Opera Mini for iPhone to my iTouch since Apple approved the app for their App Store. Whether I find myself using Mac or Windows PC I have multiple browsers of choice. I use Apple Safari, Google Chrome, Mozilla Firefox with Google Toolbar and/or Opera. I make it a point to not use IE for Windows on Windows PCs unless I have to due to insecurity and stability issues. For instant messaging prefer to use AIM or Yahoo Messenger!

Tell the FCC about some of the rewards and the challenges:

The rewards of more universal deployment and adoption will be that by closing the Digital Divide it is projected that hundreds of thousands or even millions of new jobs can be created in IT related sectors. Also the Internet can benefit the economy even more when everyone is able to have access to it at high speeds. Currently, most communities only have 1 provider of high speed Internet access in their area. If they are lucky they have 2 a cable provider and a phone provider. Even then if the duopoly cable company loses a customer's business the duopoly phone company wins. Either way

the duopoly market wins and the consumer loses. Worst case is some areas have been left unserved by the incumbent providers. The rewards of keeping the Internet open, implementing The National Broadband Plan and mandating competition will be better service, making broadband more affordable to those who currently find it unaffordable, etc. More options, more choice, increased competition result in better choices and more affordability. The challenges will be that the incumbents will fight to keep the status quo. No doubt they will fight any attempt to reclassify broadband so the FCC can re-regulate it. The FCC might have to fight long drawn out legal battles but it will be worth it to protect Internet users and close the Digital Divide.

How should the FCC deal with unauthorized filesharing of music?:

The RIAA will have you believe all peer 2 peer file sharing is bad. However, independent label musicians can benefit from peer 2 peer file sharing and the establishment of a Voluntary Collective Licensing (VCL) program where users download the music they like and contribute financially to the artist directly as much as they want. For years RIAA labels have been underpaying their own artists and treating their customers like criminals by suing file sharers and imposing copy protection (DRM) schemes on purchased music sold online in digital formats like via Apple's iTunes Store. Unfortunately, these DRM systems place usage restrictions that are unfair on consumers and they treat honest customers like criminals. If you want to be able to control your own content -- control your music collection then you have to engage in piracy as the RIAA labels would call it and download music for free via peer 2 peer file sharing networks. For years RIAA labels have been engaged in an anti competitive and anti consumer campaign called pay for play or payola where they bribe or pay radio stations to only play music by the major labels. Making music discovery of indy music harder. Also for years if you wanted to distribute music you had to have a deal with a label to package (i.e. manufacture) and ship physical mediums with the music stored on that medium. The RIAA labels could sell music on CD. It was hard for indy musicians to do this themselves as it was costly to produce music CDs or audio cassettes etc and musicians had to have a label handle the distribution of their works for them. With the open Internet indy musicians can make their music available online via digital storefronts like iTunes to sell to fans directly. The problem earlier was in the days of physical media most artists in general had to get a label or a middleman company to distribute and sell their music for them. With album CDs RIAA added filler to a musical CD -- most CDs had only 1 or 2 good songs but they added more and forced users to pay for the entire album. With the Internet though we can download singles and pay for each single we download or yes download music for free which the RIAA calls piracy. The Open Internet has become a vast library of cultural works the public can access and that is the RIAA and MPAA's biggest fear of music and movies being distributed freely online for anyone to be able to access.

How do you feel about the FCC's policies to make broadband more available?:

I think the FCC's proposed policies to make broadband more affordable are certainly welcome but it takes more than just proposing changes it takes action to make them happen. We need to expand availability of high speed Internet access so broadband is available to everyone who wants it but as I said the FCC must act and implement the policies it has proposed. The FCC must also protect its authority to do so by reclassifying broadband.

Should these principles also apply to wireless internet access?:

Yes these principles of Network Neutrality should apply for wireline as well as wireless Internet access. In fact Net Neutrality should apply equally to Google, Yahoo!, and even Apple's App Store. Wholesale open access and wireless Net Neutrality would have great consumer benefits. For example, cellular phone users should be able to run the mobile applications of their choice even over their carrier's network. If AT&T's network is technically capable of running VOIP apps including Google Voice (not only should Apple approve Google Voice for App Store) these apps should not be limited to Wifi but should be able to run over 3G as well. The fact that before President Obama entered office that AT&T was purposely blocking Skype for iPhone on its 3G network for anti competitive business reasons is wrong. The same protections wireline Internet providers have had to comply with for years should be extended to the wireless industry. It should not matter how you access the Internet whether its on a mobile device or you use wireline service on a computer all users should have equal, affordable, nondiscriminatory open access to the Internet.

Tell the FCC about how the internet facilitates free speech:

The Open Internet allows users to communicate freely without worry of government or corporate censorship. The First Amendment to the U.S. Constitution certainly was meant to protect against government censorship of free speech. Protection from corporate censorship is just as important. After the unfortunate Citizens United ruling in which the U.S. Supreme Court made a ridiculous ruling suggesting corporations are people and have a free speech right to buy elections the incumbent ISPs might try to argue they have a free speech right to discriminate but that's just outrageous. What about an individual's free speech rights to criticize a corporation -- even an Internet Service Provider for bad service via an email for example and not have their message censored by an ISP. What if I am a Comcast customer for example and a non Comcast user tries to send me an email critical of Comcast -- and I use Comcast for email now Comcast if they had their way might try to prioritize emails sent and received and refuse to deliver the email to me. What if I'm not a Comcast customer but a Comcast customer tries to send me such a message Comcast might still try to interfere. Telecommunications law historically has always stated discrimination by a service provider is illegal. Even after Citizens United this can still be the case. Imagine if the U.S. Postal Service were able to

decide what mail they want to deliver and can refuse to deliver some mail by critics of the Postal Service? So despite corporate claims of their free speech being trampled on its users free speech that is more important. Nothing in the U.S. Constitution says corporations are people yet the Supreme Court decided they are. Free speech protections were intended for individual critics not corporate critics when the First Amendment was written.

Conclude and thanks: Therefore, I am writing to urge the FCC to reclassify broadband a telecommunications service to protect your agency's legal authority to protect the Open Internet with Net Neutrality rules and your authority to implement The National Broadband Plan. I would also like to thank the FCC for addressing this important issue with a public proceeding and urge you to now act.